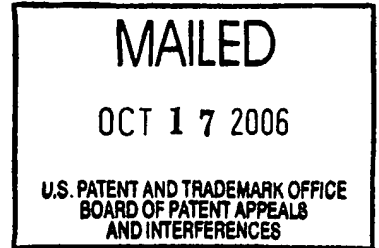


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KELAN C. SILVESTER

Application No. 09/974,923



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on October 3, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

A review of the file reveals that it is not clear from the record whether the examiner considered the amendment filed February 16, 2006. A written communication notifying appellant of the response to the amendment is required.

Application No. 09/974,923

ORDERED that the application is returned to the Examiner
for:

- 1) consideration of the Amendment filed February 16, 2006, with appropriate written notification by the Examiner to appellant of such consideration; and
- 2) such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: G.P. Edgell for Dale Shaw
DALE M. SHAW
Deputy Chief Appeal Administrator
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DMS/kis

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